

Local Acquisitions for Natural Diversity (LAND) Grant Program

APPLICATION FORM – FY2015

Application deadline: June 18, 2014, 3:00pm

Please print double-sided

I. APPLICANT INFORMATION

Project name: _____

Municipality: _____

Municipal project manager:

This is the person who will be the day-to-day contact for the project and who will represent the municipality in communication with DCS. **Attach authorization from the Chief Executive Officer identifying the individual named below.**

Name: _____

Affiliation with Municipality: _____

Address at City or Town Hall: _____

Phone Number: _____

Fax Number: _____

E-mail address: _____

Date Prepared: _____

2. COVER LETTER

Summarize the project's importance to the community's natural resource protection and/or passive outdoor recreation needs. Identify any financial or other partnerships formed to advance the project, and summarize the anticipated project timeline.

3. PROJECT DETAILS

Municipal Population 2010: _____

Population 2000: _____

Seasonal population: _____

Describe seasonal population: _____

Property acres: _____

Number of parcels: _____

Interest municipality will acquire:

☐ Fee

☐ Conservation Restriction (CR)

☐ Both fee and CR

If both, describe: _____

Parcel information:

County: _____ Watershed: _____

Assessor's map/lot number: _____

Current owner(s) _____

Access:

Does property have frontage on a street?

☐ Yes

☐ No

If yes, list street(s):

If *no*, describe how the public can access the property through adjacent landholdings. Grant funds are used to purchase land for conservation and public passive recreational use. Properties that do not have suitable public access will not be funded.

Can the property be safely accessed by foot or bicycle?

☐ Yes

☐ No

Zoning: _____

Past use(s): _____

Present use(s): _____

Proposed use(s): _____

Are there buildings or structures on the property?

☐ Yes

☐ No

If yes, list each and indicate current and planned use. The LAND Program is intended to preserve undeveloped land, not to purchase buildings. Buildings are ineligible for funding. Any buildings proposed to be kept must serve a legitimate conservation, outdoor education, or public passive recreational use.

Will this project involve the removal of structures? ☐ Yes ☐ No
Will this project involve the remediation of a greyfield, brownfield, or developed site? ☐ Yes ☐ No

If a brownfield, attach a copy of the most recent site assessment, either MCP Phase I or II, or ASTM Phase I or II, indicating the nature of the contamination and the remediation required for proposed use. Include in the Project Description a discussion of the importance of remediating the site, the plan for remediation, clear identification of disbursement of liability (e.g., will the town take it or will it reside with the current owner?), and any specific stewardship that will be undertaken to ensure that the site does not in the future pose undue risk to the public due to currently existing contamination. Also provide a remediation timeline that includes funding sources. Reminder: site remediation must be completed before reimbursement.

4. ACQUISITION AND FUNDING DETAILS

<u>Appraisal Report #1</u>	<u>Appraisal Report #2 (if land valued at over \$750,000)</u>
Valuation: \$ _____	Valuation: \$ _____
Appraiser: _____	Appraiser: _____
Valuation Date: _____	Valuation Date: _____

Acquisition details:

Negotiated Sale: ☐ Yes ☐ No
Do you have a Purchase & Sales Agreement or Agreed Price? ☐ Yes ☐ No
If yes, amount: \$ _____
Is Clear Title available? ☐ Yes ☐ No
If no, is an eminent domain taking anticipated? ☐ Yes ☐ No
If yes, proposed pro tanto award amount: \$ _____

*If clear title is not available, the applicant may decide to acquire the property by a friendly taking (eminent domain) process to clear the title. It is best to know if there is a potential title problem as soon as possible since this can complicate the acquisition process. Land lacking clear title will not be reimbursed.

Can this project be completed in next the Fiscal Year, FY2016 (July 1, 2015 – June 30, 2016)?

☐ Yes ☐ No

Funding request:

Recipients of LAND grant funding are reimbursed *after* they have expended the total project cost and submitted proof of payment. See section 2E in RFR for eligible expenditures. The total project cost must be raised or appropriated by the municipality. Costs incurred prior to grant approval and contract execution will not be reimbursed. The reimbursement rate is 52-70%, based upon a municipality's Equalized Valuation Per Capita. See the DCS website for a list of rates.

List your anticipated expenditures and requested grant amount below.

Reimbursement rate: _____

Item	Amount	Grant request amount
Property acquisition*	\$	\$
Recording fees	\$	\$
Title certification	\$	\$
Survey	\$	\$
Total	\$	\$

*Acquisition amount must be the appraised value or agreed upon purchase price, whichever is less.

Will funds from the Community Preservation Act (CPA) be used? ☐ Yes ☐ No
Use of CPA funds require the conveyance of a permanent Conservation Restriction (CR), within the meaning of Ch. 184, to an eligible non-profit organization.

Have you identified an organization willing to hold the CR? ☐ Yes ☐ No

Name of organization: _____

Are you seeking funds from other sources or partners? Please list:

5. PROJECT DESCRIPTION

Describe in a two page attachment the following:

- Description of the property, including natural resource, recreation, historical, educational, or agricultural values.
- Purpose of acquisition and proposed uses
- Consistency with Statewide Comprehensive Outdoor Recreation Plan (SCORP) and community Open Space & Recreation Plan (OSRP)
- Project schedule
- Consistency with any nearby State Priority Development or Preservation Areas as shown on the South Coast Rail Corridor Plan or the 495/MetroWest Development Compact Plan, or other regional plan.
- Plans for use of local wood in signage, waterbars, footbridges, etc.

6. PROJECT QUALITY

Landscape preservation:

How much protected conservation land does this project abut? _____ acres

Recreational opportunities:

Municipal Open Space and Recreation Plan (OSRP):

To apply for this grant you must have a current, approved OSRP, or have submitted a draft OSRP by the grant application deadline. To be eligible to apply with only a draft, a municipality must have completed the public participation process.

List the goals, objectives, or action plan items in your current or draft OSRP this project meets. Attach to your application copies of the relevant pages (not the whole plan).

	Goal, objective, or action plan item from current OSRP	Page no.
1		
2		
3		
4		
5		
6		
7		

What public recreational opportunities will the project provide?

Check the box that best describes your project. Clarify in the space below if necessary.

Recreational opportunities will be verified by DCS during the site visit.

- ☐ Trail-based activities (e.g. hiking, Nordic skiing, biking, horseback riding)
- ☐ Water-based activities (e.g. canoeing, swimming, fishing, skating)
- ☐ Wilderness activities (e.g. camping, hunting)
- ☐ Historic, cultural, or environmental education
- ☐ Community gardening or other community agriculture

Additional description: _____

Biodiversity and resource protection:

Portion of the project that lies within or abuts MA Natural Heritage and Endangered Species Program (MNHESP) BioMap2 designated areas:

Core Habitat: _____ acres

Critical Natural Landscape: _____ acres

Project is located in an area identified as of importance for climate change adaptation, as defined by The Nature Conservancy's Resilient Sites for Terrestrial Conservation Focal Areas map (link to map is available on the DCS website at <http://www.mass.gov/eea/dcs-grants>) **[map will be updated]**

☐ Yes

☐ No

Working lands:

Is the property currently enrolled in any of the following?

- ☐ Chapter 61 or 61A
- ☐ Forest Stewardship Program
- ☐ Forest or Farm Viability program

Will active forest management or agriculture continue or begin *after* the acquisition?

Note: agriculture and forestry activities must be compatible with conservation and public use of the property.

☐ Yes

☐ No

If yes, describe forestry or farming planned:

Water resources:

Portion of the property that is 0-300ft from ocean, lake, pond, river, stream, wetland, OR within an existing public drinking water supply area (Zone I/II or A/B),
OR over a medium- or high-yield aquifer:

☐ None

☐ 1-24%

☐ 25-50%

☐ >51%

7. MUNICIPAL AUTHORIZATION:

Attach a certified copy of the Town Meeting or City Council vote, or draft language. Vote must conform to sample vote language criteria, available as Attachment E of this application, or online from DCS.

Does this project have town meeting/city council approval?

☐ Yes ☐ No

If not, what is the scheduled date for the vote? _____

8. OTHER IMPORTANT DOCUMENTATION:

1. **USGS topographic map** with an outline of the Project boundary. Include the location, acreage, ownership and use of other public or quasi-public open space abutting, or close to, the Project on the topographic map. Show current use of adjacent private lands. If applicable, show proximity to Priority Development and Preservation Areas as shown on the South Coast Rail Corridor Plan or the 495/MetroWest Development Compact Plan or other regional plan. This map will be used by DCS staff to perform a site inspection.
2. **Plot plan or survey map** showing the Project boundary. The Project area must be shown in enough detail to be legally sufficient to identify the lands to be protected. A registered survey plan with deed references or assessor's map with block and lot number are acceptable.
3. **Draft Conservation Restriction (CR)** – If your project involves the purchase or conveyance of a CR, please complete a separate CR application and submit a draft restriction along with this application. The CR application is available under “Publications” at the DCS website at www.mass.gov/eea/dcs. To obtain a copy of the Conservation Restriction Handbook, visit the DCS website, or contact Nicole Sicard. Submit the draft CR to:
Nicole Sicard
Executive Office of Energy and Environmental Affairs
100 Cambridge St., Suite 900
Boston, MA 02114
617-626-1011
4. **Other state agency review** – If it is not possible to include responses in the application package to DCS, attach a copy of your cover letter requesting their input.

- *Massachusetts Natural Heritage and Endangered Species Program* (<http://www.mass.gov/dfwele/dfw/nhesp/nhesp.htm>).
 - *Massachusetts Historical Commission*
Send the MHC a PNF (<http://www.sec.state.ma.us/mhc/mhcpdf/pnf.pdf>) with a photocopy of the USGS locus map with the property boundaries clearly indicated, smaller-scale property maps if available, and a cover letter to include information about any known historic or archaeological sites. Send this certified mail, return receipt requested, so that you know when it was received. MHC will review and comment to DCS (and copy the applicant) within 30 days of receipt. If a Conservation Restriction is part of your project, you must notify and submit it to MHC for review. See these websites for any questions: <http://www.sec.state.ma.us/mhc/mhcpdf/pnfguide.pdf> and <http://www.sec.state.ma.us/mhc/mhcrevcom/revcomidx.htm>.
5. **Brownfields:** If the property to be acquired is a brownfield site, the applicant should submit documentation of the nature of contamination, the type of remediation required, and an estimate of the cost and time required for remediation. This should include a map of contaminant locations. Massachusetts Department of Environmental Protection maintains a database of known, current, waste sites and pollutant releases at <http://db.state.ma.us/dep/cleanup/sites/search.asp>. A more detailed, site-specific environmental cost estimate (or MCP Phase III Completion Report including a cost estimate) from a Massachusetts Licensed Site Professional will be required if a project is selected to receive funding (see <http://db.state.ma.us/dep/lsp/lspsearch.htm> for a list of LSPs). Applicants must prove that the site has achieved closure under MGL 21e by submitting either a Response Action Outcome (RAO) or Remedy Operation Status (REMOPS) prior to the end of the fiscal year of the award, before reimbursement will be made. If an Activity Use Limitation (AUL) deed clause is part of the RAO, a copy must also be submitted and approved before reimbursement.

9. SIGNATURES

Attach municipality's legal authority to apply for the grant, and the Chief Executive Officer's legal authorization to execute contracts. This is a resolution, motion or similar action that has been duly adopted or passed as an official act of the community's governing body that authorizes the filing of the application, including all understandings and assurances contained therein.

Chief Executive Officer

Type Official's Name

Date: _____

Conservation Commission members:

Signature	Printed Name
	Chair

ATTACHMENTS – use this as a checklist.

1. Municipal CEO's Authorization of Project Manager
2. Appraisal report(s)
3. Project narrative
4. Maps of values and resources protected, proximity to other conservation lands
5. Documentation of rare species from the MA Natural Heritage and Endangered Species Program
6. Documentation of historic resources from the MA Historical Commission
7. Draft Conservation Restriction (if applicable)
8. Brownfields documentation (if applicable)

If selected for LAND funding, the Respondent will be required to execute the following forms in order to complete a contract:

- LAND Project Agreement
- Commonwealth Standard Contract
- Commonwealth Standard Terms & Conditions
- Contractor Authorized Signatory Listing